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ST/ Prei Sheet 1 of 7

Contract No. DACA81-89-C-0087, C. I. #2 Modification No. P00001

Page 2 of 2

- b. Therefore, the present contract performance dates of 9 December 1990 for the work under Bidding Schedules A and B, and 7 February 1990 for the work under Schedule C Phase I are extended by four (4) calendar days to provide new completion dates of 13 December 1990 and 11 February 1990, respectively. The completion date for the remainder of the work remains unchanged.
- c. The contract price remains unchanged as a result of this modification.
- d. Substitute the revised page SC-1 of Special Clauses, revision dated 18 December 1989 attached hereto for like-numbered original page.
- e. It is further understood and agreed that this adjustment constitutes compensation in full on behalf of the Contractor and its subcontractors and suppliers for all costs and markup directly or indirectly attributable to the change ordered, for all delays related thereto, and for performance of the change within the time frame stated.

Attachment 9.3-15

PART I SPECIAL CLAUSES SOLICITATION NO. DACA81-89-R-0080 CONTRACT NO. DACA81-89-C-0087 CHANGE ITEM NO. 2

SC-01 COMMENCEMENT, PROSECUTION, AND COMPLETION OF WORK (1984 APR) FAR 52.212-3

The Contractor shall be required to (a) commence work under this contract within ten (10) calendar days after the date the Contractor receives the notice to proceed (NTP), (b) prosecute the work diligently, and (c) complete the entire work ready for use in accordance with the schedule set forth below. The time stated for completion shall include final cleanup of the premises.

Schedule	Description after the Contractor receives MIP
A and B	Medical/Dental Clinic Replacement 469 calendar days
С	Piber Optic Communications System

Phase I — All work except installation of offshore procured EVAC equipment 164

164 calendar days

Phase II - Installation of offshore procured

EVAC equipment and operational test

45 calendar days

Schedule C: The facility will be occupied during construction and is manned 24 hours each day. All work inside of the existing buildings will require escorts which will be provided by the User. The working hours for the entire project will be 0800 - 1900 hours, seven (7) days a week.

Upon completion of the work under Phase I, there will be AT&T equipment and personnel to perform their equipment installation work. The security of any AT&T equipment will be the responsibility of the User.

SC-02 LIQUIDATED DAMAGES - CONSTRUCTION (1984 APR) FAR 52.212-5

(a) If the Contractor fails to complete the work within the time specified in the contract, or any extension, the Contractor shall pay to the Government as liquidated damages, the sum listed below for each day of the delay.

Schedule	A and B .	• • • • • • • • • • • • • • • • • • • •	• • • • • • • • • • • • • • • • • • • •	******	W468,000
Schedule	C - Phase	I	• • • • • • • • • • • •	• • • • • • • • • • • • • • • • • • • •	W123,000
	Phase	тт			M123.000

- (b) If the Government terminates the Contractor's right to proceed, the resulting damage will consist of liquidated damages until such reasonable time as may be required for final completion of the work together with any increased costs occasioned the Government in completing the work.
- (c) If the Government does not terminate the Contractor's right to proceed, the resulting damage will consist of liquidated damages until the work is completed or accepted.

 Attachment 9.3-15

Sheet 3 of

CEPOF- CD-V

18 December 1989

MEMORANDUM FOR RECORD

SUBJECT: Findings of Fact in Support of Time Extension Contract No. DACA81-89-C-0087, FY-89 DODM, PN 23189, Medical/Dental Clinic Replacement and FY-89 OMAF, TAE 88-0058, Fiber Optic Communications System (FOCSIK), Taegu Air Base, Korea

1. References:

- a. Contractor's serial letter No. SSY-F-0087-029, dated 1 December 1989, subject: Request for Time Extension for Unusually Severe Weather. (Encl. No. 1)
- b. Weather and Working Condition Report for the Month of November 1989, Quality Assurance Reports and Quality Control Reports. (Encl. No. 2)
 - c. NAS approved on 11 December 1989. (Encl. No. 3)
- 2. Necessity for Modification:

The contractor has requested 4 calendar days time extension resulting from unusually severe weather during the months of November 1989. After careful evaluation of all referenced documentation, it is determined that a time extension of 4 calendar days for the work under schedules A and B, and Schedule C Phase I, which was caused without the fault or negligence of the contractor, sub-contractor or suppliers, is justifiable.

3. Authority:

Clause 52,249-, "DEFAULT (FIXED - PRICE CONSTRUCTION)" of the Contract Clauses and Glause 13, "TIME EXTENSIONS FOR UNUSUALLY SEVERE WEATHER", of the Special Contract Requirements.

- 4. Availability of Funds: N/A
- 5. Findings of Fact:
- a. The contractor submitted a serial letter, reference 1.a above, requesting a time extension of 4 calendar days resulting from unusually severe weather in the month of November 1989.

Attachment 9.3-15

CEPOF-: CD-V

18 December 1989

- b. A careful review was made on the referenced documents and revealed the following:
- (1) Based on the reference l.a, construction work was suspended on the following dates in November 1989:

4, 5, 6, 8, 12 and 26 6 days

(2) The following activities on the critical path of the NAS was performed:

Admin/Storage Building:

Event No.	Activity	Performance Dates (Days after NTP)	Total Float		
Medical Dental Clinic, Schedules A and B					
29 - 75	Excavation for foundation	22 Oct - 11 Nov 89 (52 - 72)	0		
75 - 87	Stabilization and Compaction	11 Nov - 21 Nov 89 (72 - 82)	0		
87 - 245	Rebar, form and concrete	21 Nov 89 - 29 Jan 90 (82 - 151)	0		
FOCSIK, Sche	dule C Phase I				
85 - 97	Concrete for foundation	30 Oct - 8 Nov 89 (60 - 69)	0		
97 - 137	CMU	8 Nov - 20 Nov 89 (69 - 81)	0		
137 - 159	Form and concrete	20 Nov - 5 Dec 89 (81 - 96)	0		

(3) It was found that activities above were exterior work exposed to the weather, and affected and delayed due to the unusually severe weather (rain), and these delays would impact the overall contract completion time of Bidding Schedules A and B and C Phase I.

Attachment 9.3-15

CEPOF- CD-V

November 89

18 December 1989

c. In view of the foregoing facts, the delay was summarized as follows:

Actual Adverse Anticipated Adverse Days
Weather Days Weather Days, SC-33 Impacted

d. On 18 December 1989, Mr. Kim, Jong-cheon, Project Manager, was informed by Mr. Sakong, Yun, Chief, CSB, Southern Resident Office, USAEDFE, that 4 calendar days of time extension with no delay cost for Schedules A and B, and C Phase I, are allowable subject to the approval of the Resident Contracting Officer, and Mr. Kim concurred in the Government's analysis of weather impact upon the contractor.

6. Conclusion:

Based on the facts presented above, the contract completion was delayed by 4 calendar days for Bidding Schedules A and B, and C Phase I due to unusually severe weather in November. Therefore, a time extension of 4 calendar days for the aforesaid Bidding Schedules, should be granted without adjustment in the contract price.

7. Based on the above, a time extension of 4 calendar days is:

Recommended by: No /s / John P. Doe

JOHN P. DOE

Civil Engineer

Southern Resident Office

Concurred in by: __/s/ John Speedy _______

JOHN SPEEDY, P.E.

Administrative Contracting Officer

3 Encls

Data: / Dec 1989

For the Month of November, 1989

Const No. 1320 1 Nazar Locazion Medical Dental Clinic Replacement & Fiber Optic Comm. Sys. Targu A.E. Oursessess: Ssangmong Const. Co., Ltd. # DAT REMARKS WEATHER /SNOWFALL Indear:Outdeer LOST CLASS TH INCH 60 60 10:0 70:0 from 13:30 hrs 50 \mathcal{F}^{\prime} CIARR 1 . Ė 14 10 7. \$ J. 5 days of Actual delay(50% or more lost)-2 days of anticipated delay(par specs)= days R=Raimy S=Snowy Section Classification: A=No interruption of any kind from weather conditions. B=Complete Cd=Cloudy stoppage of all work due to wasther. C=Partial stoppage of work due to weather (Explai ... D=Complete stoppage of work due to pravious adverse weather. E=Partial stoppage of work due previous adverse weather (Explain). 0=Other (Explain). tentative agreement was reached that there were 1 4 days note adverse weather than coul have been enticipated. It is understood and agreed that this agreement is subject to approval

forthcoming.

· Representativa)

if the Contracting Officer and does not constitute or in anyway the time extension is due or

I QAR Kang Kil Su 🛴 (Note & Title of Government

Raprasantative)

Sheet 7 of 7